

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE A STAR GROUP, LLC,

Plaintiff,

v.

MANITOBA HYDRO; KPMG LLP
(CANADA); KPMG LLP (US); and
MANITOBA PUBLIC UTILITIES BOARD,

Defendants.

Case No. 13-cv-4501 (PAC)

Oral Argument Requested

ECF CASE

EXHIBIT G

to the

**DECLARATION OF KENNETH E. LEE IN SUPPORT OF DEFENDANT
THE PUBLIC UTILITIES BOARD OF MANITOBA'S MOTION TO
DISMISS THE COMPLAINT AND STRIKE THE DEMAND FOR A JURY TRIAL**

M A N I T O B A	Order No. 62/10
THE PUBLIC UTILITIES BOARD ACT	
THE MANITOBA HYDRO ACT	
THE CROWN CORPORATIONS PUBLIC REVIEW AND ACCOUNTABILITY ACT	June 16, 2010

BEFORE: Graham Lane, C.A., Chairman
 Robert Mayer, Q.C., Vice-Chair
 Len Evans, LLD, Member

**PROCEDURAL ORDER:
MANITOBA HYDRO GENERAL RATE APPLICATION
FOR 2010/2011 AND 2011/12 RATES**

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WHEREAS The Public Utilities Board has, in Order 30/10 provided for the review of Manitoba Hydro's risks and risk management as part of Manitoba Hydro's 2010/11 and 2011/12 General Rate Application hearing process;

AND WHEREAS The Public Utilities Board has also provided for the engagement of Independent Experts and their legal counsel to assist in the risk review process;

AND WHEREAS The Public Utilities Board has also provided a New York Consultant with the opportunity to submit proposed redactions to various reports;

AND WHEREAS the costs of, and incidental to, proceedings before The Public Utilities Board are in the discretion of The Public Utilities Board;

AND WHEREAS The Public Utilities Board may order by whom, and to whom, any costs are to be paid;

AND WHEREAS The Public Utilities Board will review and may approve, for Manitoba Hydro's payment, certain costs by the Independent Experts, the New York Consultant and their respective counsels;

AND WHEREAS Manitoba Hydro has requested formalization of its requirement to pay the costs as approved by The Public Utilities Board;

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with section 36 of the Board's Rules of Practice and Procedure. The Board's Rules may be viewed on the Board's website at www.pub.gov.mb.ca.

